

VZCZCXRO6713
PP RUEHQU
DE RUEHPU #2474/01 3631440
ZNR UUUUU ZZH
P 291440Z DEC 06 ZDK
FM AMEMBASSY PORT AU PRINCE
TO RUEHC/SECSTATE WASHDC PRIORITY 4975
INFO RUEHZH/HAITI COLLECTIVE PRIORITY
RUEHBR/AMEMBASSY BRASILIA PRIORITY 1357
RUEHSA/AMEMBASSY PRETORIA PRIORITY 1188
RUEHQU/AMCONSUL QUEBEC PRIORITY 0672
RUMIAAA/HQ USSOUTHCOM J2 MIAMI FL PRIORITY
RUCNDT/USMISSION USUN NEW YORK PRIORITY 1087

UNCLAS SECTION 01 OF 02 PORT AU PRINCE 002474

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SUBJECT: ELECTIONS UPDATE: 25 DAYS AFTER

REF: PAP 2412

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¶1. This message is sensitive but unclassified -- protect accordingly.

¶2. (U) Summary: The Provisional Electoral Council (CEP) has published 99 percent of all election results from the December 3 round. Of the published results, candidates have contested 15 percent. Following resolution of the contestations, some reruns are anticipated sometime in February. The leading political parties, Lespwa and Fusion, are pleased with the elections but state that violence and voting irregularities were more widespread than in the earlier rounds. Implementing the local government structure may prove problematic to the GoH and frustrating for the political parties. Currently, a sufficient budget does not exist for the salaries of local and municipal government officials, much less their projects. Likewise, no clear road map exists for the implementation of local governance. End Summary.

The Status of Election Results and Disputes

¶3. (U) The CEP has published the election results for 1419 of the 1431 posts. According to CEP Counselor and Acting Director General Francois Benoit, the CEP will post the results for one additional race December 29. The remaining 11 election results will not be published because of violence that disrupted the voting process or tabulation sheets that were not recovered. Based on the previously posted results, there are 222 local contestations. None have been adjudicated. The number is expected to increase as the CEP publishes the remaining results. The national contestation office (BCN) received four contestations for the deputy seats. The office heard the cases on December 26 and 27 but has not yet made a determination on the validity of the disputed results.

¶4. (U) Benoit told poloff on December 28 that rerun elections would take place in February for sixty polling stations that were disrupted by violence on election day as well as those that are approved by the contestation offices. The CEP had

not selected a date for the inauguration of local and municipal government officials.

¶5. (U) The CEP announced the results for the Port-au-Prince mayor's race on the evening of December 20 after Canadian election observers shared their copies of the tabulation sheets with the CEP. (Note: Results for this race were delayed because the CEP did not receive all of the tabulation sheets (ref A). End Note.) The Union of Patriotic Citizens (RCP) cartel won. Lespwa candidates and partisans did not take to the streets as threatened. Fusion candidate Wilfrid Joseph, however, publicly claimed that his party agreed to give up the mayor's race in exchange for two Senate seats, a claim Fusion leadership denies. The Fusion cartel won only four percent of the vote while RCP had 15 percent.

Political Party Opinion

¶6. (SBU) Fusion spokesman Micha Gaillard told poloffs on December 20 that his party accepts the elections on the whole. However, the party intended to contest several races where gross fraud had been committed. He stressed that Fusion would be a part of the democratic process and not protest the results outside of the contestation process. (Note: Gaillard phoned poloff on December 21 to discuss the actions of mayoral candidate Joseph. Joseph threatened Fusion leaders at their headquarters with a gun, firing into the air. Gaillard said that he regrets the behavior of Joseph and that the party would not support his claims of fraud in the Port-au-Prince race. The party believes Joseph's accusations lack merit. End Note.) Gaillard also opined that there was more violence on election day than in the previous rounds. He attributed the violence to armed partisans who felt free to disrupt the electoral process because those guilty of kidnapping and other serious crimes

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suffered no judicial consequences. Preval's strategy of negotiation created "small criminals" willing to use violence to achieve their goals during the election and contestation periods.

¶7. (SBU) Minister of Parliamentary Relations Joseph Jasmin, speaking for Lespwa, accepted the elections in general and saw no widespread fraud. Lespwa candidates would respect the democratic process and file contestations where needed. The party has lawyers in the ten departments to assist with the local disputes. Jasmin laments that the structure is not sufficiently in place for local governance to take on their duties. Lespwa, however, will assist their candidates with the governance process so that the party can build trust among the population and maintain its popularity.

Implementing the Local Government: Financial Significance

¶8. (U) 1996 legislation states that the Ministry of Interior (MOI) will allocate approximately 205 USD monthly to each county council (CASEC). USD 155 should be used for the salaries of the three-member council and 50 USD for operational costs. The county district councils (ASEC) receive no remuneration. According to Preval's economic advisor, Gabriel Verret, the GoH allocated one million gourdes (approximately USD 25,000) for local governance in the current budget. The remaining funds for CASEC and ASEC will come from the territorial fund of the MOI. Verret admits, however, that the fund and the allocated budgetary funds are not sufficient for the local governing bodies. (Note: The territorial collective fund was established in 1996 and draws upon taxes to create revenue. Verret stated that the fund generates approximately USD 770,000 per month.) Verret believes that an amended budget is likely. Senator Kely Bastien, President of the senate finance committee, agrees although he claims the current budget is sufficient to cover local government salaries.

¶9. (U) The director general of the MOI Harry Voltaire told poloff on December 28 that many of the metropolitan municipalities would have their own budget but the provincial municipalities would turn to the MOI for financing. He stated that there would be a disparity in the municipal salaries because of the varying responsibilities of the mayor and deputy mayors. He was currently working on a grid that would set the salaries and budgets for each municipality based on the size and responsibility of each municipality. Town delegates (delegue de ville) do not receive remuneration. However, Voltaire was concerned not only that the town delegates did not have a salary but that they also lacked any legally defined responsibility. According to Voltaire, the position was "the imagination of a previous CEP."

¶10. (SBU) Comment: There are few experts on local government financing or function in Haiti. Many in the government are scrambling to determine how the local officials will be paid, where they will work, what resources they will control, and, in some cases, what they will do. While having the elections moves Haiti closer to the decentralized governmental structure outlined in the 1987 Constitution, the GoH's larger democratic challenge will be to keep the local governing employees engaged and responding to the needs of their constituency. End Comment.
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